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## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

William S. Wolfson, Esq., L.L.C. 260 U.S. Highway 202/31, Suite 1100 Flemington, NJ08822-1794 908 782-9333 Attorney for Glenn and Margaret Enevoldsen

Our File No. 1218.57232

IN THE MATTER OF

Glenn and Margaret Enevoldsen, Debtor(s)

Order Filed on April 15, 2021 by Clerk U.S. Bankruptcy Court District of New Jersey

CASE NO.: 18-29961

CHAPTER 13 ADV NO.:

HEARING DATE: 4/14/2021 JUDGE: MICHAEL B. KAPLAN

## ORDER REQUIRING INTERNAL REVENUE SERVICE TO FILE AMENDED PROOF OF CLAIM 3-2 AND FOR AN ACCOUNTING

The relief set forth on the following pages, numbered one through two, is hereby ORDERED.

**DATED: April 15, 2021** 

Honorable Michael B. Kaplan United States Bankruptcy Judge Debtor(s): Glenn and Margaret Enevoldsen

Case No.: 18-29961

Caption of Order: ORDER REDUCING PROOF OF CLAIM 3-2 FILED BY THE UNITED STATES GOVERNMENT ON BEHALF OF INTERNAL REVENUE SERVICE AND FOR

AN ACCOUNTING

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This matter being opened to the Court by William S. Wolfson, Esq. as counsel to the debtors on notice to the Internal Revenue Service and to the Office of the Attorney General of the United States for the District of New Jersey, Attn: Eamonn O'Hagan, Esq. and Albert Russo, Esq., as Standing Chapter 13 Trustee and the Court having read and considered the pleadings submitted and any responses, if applicable, the Court orders the following relief.

## ORDERED that:

- 1. Within 30 days from the date of this Order, the Internal Revenue Service shall file an amended proof of claim with respect to Proof of Claim 3-2, or shall file a Certification with the Court explaining why the existing Proof of Claim 3-2 is correct. In any event, the Internal Revenue Service shall account for the disposition of the full 2020 refund overpayment in the amount of \$5,001.00 and show the application of funds as set off to the 2018 federal income and excise tax debt.
- 2. The Chapter 13 Trustee is authorized to pay the amount due for the 2018 federal income and excise taxes in the absence of any timely objection to the amendment to Proof of Claim 3-2. Any objection shall be filed within 20 days of receipt of the amendment to Proof of Claim 3-2.
- 3. The movant shall serve this order on the Office of the United States Attorney General for the District of New Jersey Attn: Eamonn O'Hagan, Esq., Office of the United States Attorney General and on the Internal Revenue Service, Chapter 13 Trustee and any other party who entered an appearance on the motion within 7 days.